

Message Text

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PAGE 01 SANTIA 02600 080141Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----051083 080143Z /65
O 080017Z APR 78
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 8827

S E C R E T SANTIAGO 2600

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EXDIS

FOR ARA, D AND L ONLY

E.O. 11652: GDS
TAGS: PGOV SHUM CI
SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION

REF: SANTIAGO 2599

1. USG LAWYER ALFREDO ETCHEBERRY WAS CONTACTED REGARDING
OPINION OF LEGAL PROCEDURE OUTLINED PARAGRAPH 1, REFTEL.
HE ADVISED THAT AN EXPULSION ORDER SIGNED BY THE MINISTER
OF THE INTERIOR WOULD NOT, REPEAT NOT, HAVE TO BE REVIEWED
BY THE SUPREME COURT ON AN OFFICIAL BASIS, ALTHOUGH AN
INDIVIDUAL SUPREME COURT JUSTICE MIGHT BE CONSULTED FOR
HIS PERSONAL LEGAL OPINION.

2. MENA'S DEPUTY INFORMED SCHERRER THAT HE WAS MISTAKEN
IN CONVEYING INFORMATION SET FORTH, PARAGRAPH 1, REFTEL,
REGARDING REQUIREMENT FOR SUPREME COURT APPROVAL OF EXPULSION
DECREE. SCHERRER WAS ADVISED THAT TOWNLEY WAS ARRESTED BY
INVESTIGACIONES DE CHILE AT 1920 HOURS, 4/7/78 AND THAT
BY LAW HE HAD 48 HOURS TO APPEAL THE EXPULSION ORDER.
SCHERRER WAS TOLD THAT IT IS ANTICIPATED THAT TOWNLEY'S

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ATTORNEY WILL FILE A WRIT OF HABEAS CORPUS IMMEDIATELY
WHICH WILL BE CONSIDERED BY THE SUPREME COURT SITTING IN
SESSION, SATURDAY MORNING 4/8/78 AND THAT IT WAS
ANTICIPATED THAT THE HABEAS CORPUS PETITION
WOULD BE REJECTED, THEREBY ALLOWING TOWNLEY TO IMMEDIATELY
BE EXPELLED.

3. SCHERRER WAS AGAIN TOLD THAT TOWNLEY WILL DEPART
SANTIAGO EVENING OF 4/8-4/9/78.
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Message Attributes

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Decaption Note: 25 YEAR REVIEW
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